

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

**THE CLAIMS**

Independent claim 1 has been amended to recite that the back sheet includes a slightly colored area and a darkly colored area, and that a light transmittance of light transmitted through the top sheet, the slightly colored area of the back sheet, and the absorbent body is at least 15%. See, for example, paragraphs [0040] and [0041] of the specification as originally filed.

In addition, claim 4 has been amended to recite that an identification to identify a front-rear orientation of the absorbent article is provided in the darkly colored area, to better accord with amended claim 1. See, for example, the disclosure relating to the fourth and fifth embodiments on pages 22-25 of the specification as originally filed.

Still further, new claim 13, which depends from claim 1, has been added to recite that the absorbent article includes a portion in which a light transmittance of light transmitted through the top sheet, the darkly colored area of the back sheet, and the absorbent body is less than 15%. See, for example, paragraphs [0040] and [0041] of the specification as originally filed.

And new claim 14 has been added to recite that the absorbent article includes a portion in which a light transmittance of light transmitted through the top sheet, the colored area of the back sheet, and the absorbent body is less than 15%. See, for example, paragraph [0038] of the specification as originally filed.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

#### THE PRIOR ART REJECTION

Claims 1, 7, and 10 were rejected under 35 USC 102 as being anticipated by US 2005/0096616 ("Arora et al"); claims 2, 8, and 11 were rejected under 35 USC 103 as being obvious in view of Arora et al; and claims 4 and 5 were rejected under 35 USC 103 as being obvious in view of the combination of Arora et al and USP 6,702,795 ("Klemp"). These rejections, however, are respectfully traversed with respect to the claims set forth hereinabove.

#### Claims 1, 4, 7, 10, and 13

According to amended independent claim 1, an absorbent article comprises: a top sheet positioned in a face which is adapted to be brought into contact with a human body; a back

sheet positioned in a face which is opposite to the top sheet and is adapted to be brought into contact with underwear; and an absorbent body interposed between the top sheet and the back sheet; wherein the back sheet includes a slightly colored area and a darkly colored area, and wherein a light transmittance of light transmitted through the top sheet, the slightly colored area of the back sheet, and the absorbent body is at least 15%.

In a process of manufacturing sanitary napkins, an optical sensor is used for inspection to check products. Specifically, in order to confirm that the absorbent body is properly positioned, to confirm that no foreign substance is mixed in, and so on, the optical sensor measures a specific area (inspection portion) of a sanitary napkin as a final product. When the light transmittance of the area is lower than a certain value (for example, 15%), it is concluded that the absorbent body is misaligned, or that there has been contamination by a foreign substance, for example, and the sanitary napkin is rejected from the line. Therefore, when the back sheet is colored, there is a possibility that a product with the colored back sheet will be recognized as an unacceptable product when being checked by the optical sensor due to the light transmittance of the colored back sheet becomes less than 15%. See, for example, paragraphs [0006] to [0007] of the specification as originally filed.

With the structure recited in claim 1, the back sheet includes a slightly colored area and a darkly colored area, and a light transmittance of light transmitted through the top sheet, the slightly colored area of the back sheet (inspection portion), and the absorbent body is at least 15%.

The slightly colored area is provided with pigment, which has a light transmittance of 15% or more, when applied to a film to form a printing film. Therefore, the light transmittance of the light transmitted through the inspection portion which includes the top sheet, the slightly colored area of the back sheet and the absorbent body can be at least 15%.

With the structure recited in claim 1, for example, even if the light transmittance of most of the back sheet is 15% or less (in the darkly colored area, according to dependent claim 13), proper discrimination between acceptable and unacceptable products can be reliably performed in the inspection process. Moreover, the pigment applied to the slightly colored area which is included in the inspection portion may be configured to have a color with a tone close to that of pigment applied to the darkly colored area, which may occupy most of the back sheet. Therefore, the inspection portion can be prevented from being noticed, and a more effective colored area better in design can be realized. See paragraphs [0040] to [0041] of the specification as originally filed.

Arora et al discloses that the "liquid-impermeable barrier layer 35 is substantially transparent and may be free of colorants such as dyes and/or pigments." (Paragraph [0047]). The Examiner asserts that it would have been obvious to one of ordinary skill in the art to provide a back sheet with a colored portion and a non-colored portion in view of Arora et al. (Page 4, lines 7 to 9 of the Office Action.)

It is respectfully submitted, however, that even if Arora et al is interpreted as disclosing that the liquid-impermeable barrier layer 35 may include colorants such as dyes and/or pigments and that the liquid-impermeable barrier layer 35 does not have to include colorants such as dyes and/or pigments, Arora et al does not disclose or suggest that the liquid-impermeable barrier layer 35 includes a slightly colored area and a darkly colored area, and that the light transmittance of light transmitted through the cover layer 31 (corresponding to the top sheet of claim 1, according to the Examiner), the slightly colored area of the liquid-impermeable barrier layer 35 and the liquid-absorbing coating 100 (corresponding to the absorbent body of claim 1, according to the Examiner) is at least 15% as according to the present invention.

Accordingly, it is respectfully submitted that Arora et al does not disclose or suggest a back sheet including a slightly colored area and a darkly colored area, wherein a light

transmittance of light transmitted through the top sheet, the slightly colored area of the back sheet, and the absorbent body is at least 15%, as recited in amended independent claim 1.

Klemp, moreover, has merely been cited as disclosing a back sheet 18 including instructional printing 66 (corresponding to an identification to identify a front-rear orientation of the absorbent article, as recited in claims 4 and 5, according to the Examiner). It is respectfully submitted that Klemp also does not disclose or suggest a back sheet including a slightly colored area and a darkly colored area, wherein a light transmittance of light transmitted through the top sheet, the slightly colored area of the back sheet, and the absorbent body is at least 15%, as recited in amended independent claim 1.

Accordingly, it is respectfully submitted that Arora et al and Klemp, even if they were combinable as suggested by the Examiner, would not disclose or suggest an absorbent article as recited in claim 1, which comprises a back sheet including a slightly colored area and a darkly colored area, wherein a light transmittance of light transmitted through the top sheet, the slightly colored area of the back sheet, and the absorbent body is at least 15%.

It is respectfully submitted, therefore, that amended independent claim 1 and claims 4, 7, 9, and 13 depending

therefrom all patentably distinguish over Arora et al and Klemp, under 35 USC 102 as well as under 35 USC 103.

Claims 2, 5, 8, 11, and 14

According to amended independent claim 2, an absorbent article comprises: a top sheet positioned in a face which is adapted to be brought into contact with a human body; a back sheet positioned in a face which is opposite to the top sheet and is adapted to be brought into contact with underwear; and an absorbent body interposed between the top sheet and the back sheet; wherein the back sheet includes a colored area and a non-colored area, and wherein a light transmittance of light transmitted through the top sheet, the non-colored area of the back sheet, and the absorbent body is at least 15%.

Arora et al discloses that the "liquid-impermeable barrier layer 35 is substantially transparent and may be free of colorants such as dyes and/or pigments." (Paragraph [0047]). The Examiner asserts that it would have been obvious to one of ordinary skill in the art to provide a back sheet with a colored portion and a non-colored portion in view of Arora et al. (Page 4, lines 7 to 9 of the Office Action.)

It is respectfully submitted, however, that even if Arora et al is interpreted as disclosing that the liquid-impermeable barrier layer 35 may include colorants such as dyes and/or

pigments and that the liquid-impermeable barrier layer 35 does not have to include colorants such as dyes and/or pigments, Arora et al does not disclose or suggest a back sheet including a colored area and a non-colored area, wherein a light transmittance of light transmitted through the top sheet, the non-colored area of the back sheet, and the absorbent body is at least 15%, as recited in independent claim 2.

Klemp, moreover, has merely been cited as disclosing a back sheet 18 including instructional printing 66 (corresponding to an identification to identify a front-rear orientation of the absorbent article, as recited in claims 4 and 5, according to the Examiner). And it is respectfully submitted that Klemp also does not disclose or suggest a back sheet including a colored area and a non-colored area, wherein a light transmittance of light transmitted through the top sheet, the non-colored area of the back sheet, and the absorbent body is at least 15%, as recited in independent claim 2.

Accordingly, it is respectfully submitted that Arora et al and Klemp, even if they were combinable as suggested by the Examiner, would not disclose or suggest an absorbent article as recited in claim 2, which comprises a back sheet including a colored area and a non-colored area, wherein a light transmittance of light transmitted through the top sheet, the



non-colored area of the back sheet, and the absorbent body is at least 15%.

It is respectfully submitted, therefore, that amended independent claim 2 and claims 5, 8, 11, and 14 depending therefrom also patentably distinguish over Arora et al and Klemp, under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

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